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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,259	12/21/2001	Warren McKinney	717228.7	6172

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EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/037,259

Applicant(s)

MCKINNEY ET AL.

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The indicated allowability of claims 3-6 and 10 is withdrawn in view of the newly discovered reference(s) to Mitchell (US 6,113,454). Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell (US 6,113,454) in view of De Lange (US 3,780,482).

Mitchell teaches a data storage device display assembly including:

- A display panel (11, fig. 1) having at least two main surfaces (shown in fig. 2, not labeled) with one being a display surface (surface facing the front) (claim 1)
- A data storage device attachment device (140, fig. 4) secured to said display surface, including a carrier strip (140, fig. 4), a first adhesive (backed

- adhesive on one side of 140, fig. 2; see col. 4, lines 34-35) being a permanent adhesive, on a first face (back face of 140, fig. 4) and adhered to the display surface, and a second adhesive (Velcro on the other side of 140, fig. 4; also see col. 4, lines 66-67) on a second face (front face, not labeled), being a reusable and pressure sensitive adhesive (such as Velco) (claims 1 and 4-5)
- A data storage device (38, fig. 1) being in contact with the second adhesive and removably secured to the panel (claim 1)
  - Wherein the data storage device includes a data card (39, fig. 1) (claim 6)
  - Wherein the carrier strip is made of a polymeric material (a well known knowledge; Velcro is made of one kind of polymeric material) (claim 7)
  - Wherein the peel strength of the second adhesive with the data storage device is less than the peel strength of the first adhesive with the display panel (e.g. nature of Velcro strip) (claim 8)
  - Wherein the second adhesive has a surface area of contact on the card less than a surface area of contact of the first adhesive on the display panel (the area of front surface of Velcro is always less than the area of backed adhesive) (claim 9)
  - Wherein the second adhesive is present on the carrier in a plurality of spots (Velco is formed with individual hooks and loops) (claim 10)
  - A method of making a data storage device display assembly as claimed in claims 11-15, being disclosed inherently in the specification (claims 11-15).

Mitchell fails to teach the first adhesive being shrink resistant.

De Lange teaches a shrink resistant adhesive for securing panels 56 to braces 44 (see col. 3, lines 29-31).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Mitchell with the adhesive taught by De Lange so that the display panel would not be deformed after applying the adhesive.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 11-15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Correspondence***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFax numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Art Unit: 2835

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang

Patent Examiner

Art Unit: 2835

March 5, 2004

A handwritten signature in black ink, appearing to read 'Yean-Hsi Chang', written in a cursive style.